

OFFICE OF THE CITY MANAGER

NO. LTC# 431-2013

LETTER TO COMMISSION

TO:

Mayor Philip Levine and Members of the City Commission

FROM:

Jimmy L. Morales, City Manager

DATF-

December 5, 2013

SUBJECT: CITY OF SOUTH MIAMI RESOLUTION

Attached for your information is Resolution No. 243-13-14061, which was passed by the City of South Miami on November 5, 2013.

A Resolution Of The City Of South Miami, Florida, Requesting An Intergovernmental Agency Agreement Granting The City Of South Miami Autonomy Regarding Street Safety And Traffic Calming On All Roads In The City Of South Miami That Are Not Designated County, State Or Federal Roads.

South Miami Commissioner Walter Harris is the sponsor of this resolution, and would like the support of other municipalities. If you have any questions, please contact the City Clerk's Office at 305.673.7411.

JLM/REG

Attachment

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RESOLUTION NO. 243-13-14061

A Resolution of the City of South Miami, Florida, requesting an Intergovernmental Agency Agreement granting the City of South Miami autonomy regarding street safety and traffic calming on all roads in the City of South Miami that are not designated county, state or federal roads.

WHEREAS, pursuant to Section 2-96.1 of the Miami-Dade County Code of Ordinances, all traffic and traffic engineering services in Miami-Dade County ("County") are under the exclusive jurisdiction of the County; and

WHEREAS, Section 2-96.1 provides that the County Manager or designee, in his/her sole discretion, may authorize municipalities, which desire and are equipped and able to perform certain traffic engineering functions, to assume, together with all liability and without additional cost to the County, through an individual Intergovernmental Agency Agreement, and for local municipal streets only, the installation and maintenance of regulatory and street name signs, warning signs, construction warning signs, markings and barricades, pavement markings, traffic maintenance and traffic calming devices, all as may be specifically provided in the Agreement and subject to performing appropriate traffic engineering studies if required by such Agreement. The Department shall, however, retain exclusive jurisdiction over the permanent closure of access to any road or street; and

WHEREAS, the City of South Miami ("City) desires to assume the installation and maintenance responsibilities of certain traffic engineering functions pertaining to its local municipal streets only; and

WHEREAS, presently all issues relating to traffic calming and street safety must first be directed through the County with studies and monitoring at a cost to the county in time and money; and

WHEREAS, the County has previously determined that the City is both equipped and able to perform the traffic engineering functions as herein specified on its local streets; and

WHEREAS, it would be advantageous to both the County and the City to allow the City to assume responsibility of their roads and streets.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA:

Section 1. The City Manager is hereby instructed to seek an Intergovernmental Agency Agreement with Miami-Dade County authorizing the City to perform certain traffic engineering functions and to assume, together with all liability and without additional cost to the County, responsibility for installation and maintenance of regulatory and street name signs, warning signs, construction warning signs, markings and barricades, pavement markings, traffic maintenance and traffic calming devices, all as may be specifically provided in the Agreement

and subject to performing appropriate traffic engineering studies if required by such Agreement, on all roads in the City of South Miami that are not designated county, state or federal roads.

Section 2. Severability. If any section clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this resolution.

Section 3. Effective Date. This resolution shall become effective immediately upon adoption by vote of the City Commission.

PASSED AND ADOPTED this 5th day of November, 2013.

ATTEST: APPROVED:

Φ FORM,

Commissioner Welsh:

COMMISSION VOTE: 5-0 Mayor Stoddard: Yea Vice Mayor Liebman: Yea Commissioner Newman: Yea Commissioner Harris: Yea

Yea